

FEDERAL COMMUNICATIONS COMMISSION
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June 7, 2011

Robert D. Augsburg, President
Way Media, Inc.
Box 64500
Colorado Springs, Colorado 80962

Re: Way Media, Inc.
KBWA(FM), Brush, Colorado
Facility Identification Number: 91420
Special Temporary Authority

Dear Mr. Augsburg:

This is in reference to the request filed June 6, 2011, on behalf of Way Media, Inc. ("WMI"). WMI requests special temporary authority ("STA") to operate Station KBWA with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, WMI states that the station's antenna was damaged by lightning, and that it has restored operation using the undamaged sections of the antenna.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna.

Accordingly, the request for STA IS HEREBY GRANTED. Station KBWA may operate with the following facilities:

Geographic coordinates:	40° 13' 2" N, 103° 41' 46" W (NAD 1927)
Channel	206 (89.1 MHz)
Effective radiated power:	1.5 kilowatts (V only)
Antenna height:	
above ground:	30 meters
above mean sea level:	1369 meters
above average terrain:	44 meters

WMI must notify the Commission when licensed operation is restored. WMI must use whatever

¹ KBWA is licensed for operation on Channel 206A (89.1 MHz) with effective radiated power of 6 kilowatts (V only) and antenna height above average terrain of 44 meters.

means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on **September 7, 2011**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Way Media, Inc.